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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MAYO III, WILLIAM H

ART UNIT PAPER NUMBER

2831

DATE MAILED: 11/08/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/924,871

Applicant(s)

JACKE, JOACHIM

Examiner

William H. Mayo III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \*   c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.                      6) ☐ Other:

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copies have been filed in present Application No. 09/924,871, filed on August 9, 2001.

### ***Information Disclosure Statement***

2. The information disclosure statement filed February 21, 2002 has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

### ***Oath/Declaration***

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It does not identify the mailing or post office address of each inventor. A mailing or post office address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing or post office address should include the ZIP Code designation. The mailing or post office address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

***Drawings***

4. The drawings are objected to because Figures 3-4 lack the proper cross hatching which indicates the type of materials which may be in an invention. Specifically, with the cross hatching to indicate the conductor and insulative materials is incorrect. The applicant should refer to MPEP Section 608.02 for the proper cross hatching of materials.

Correction is required.

***Specification***

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The abstract of the disclosure is objected to because it contains multiple paragraphs, which is improper format for the abstract. Correction is required. See MPEP § 608.01(b).

7. The disclosure is objected to because of the following informalities: On page 12, lines 11 & 15, the applicant refers to the plug part as being number 7 & 17 respectively. The applicant should correct the reference number to reflect just one of the numbers.

Appropriate correction is required.

### ***Claim Objections***

8. Claim 19 is objected to because of the following informalities: Delete the term "and" in line 1 to provide clarity to the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 15-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claim 15 recites the limitation "the core guidance channel" in lines 9-11, which is confusing and renders the claim indefinite. It is unclear whether the applicant is referring to the previously mentioned "at least one core guidance channel" or introducing a new core guidance channel. If the applicant is referring to the previously mentioned term, then he/she should recite the term with consistency. If the applicant is referring to a new core guidance channel, then he/she should make the term more distinguishable.

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12. Claim 22 recites the limitation "the plurality of core guidance channels" in line 2, which is confusing and renders the claim indefinite. It is unclear whether the applicant is referring to the previously mentioned "at least one core guidance channel" or introducing new core guidance channels. If the applicant is referring to the previously mentioned term, then he/she should recite the term with consistency. If the applicant is referring to new core guidance channels, then he/she should make the term more distinguishable.

13. Claim 24 recites the limitation "the plurality of cores" in line 2. There is insufficient antecedent basis for this limitation in the claim because there has not been any previous reference to a plurality of cores in previous lines of the claims.

14. Claims 16-21, 23, and 25-30 are depended upon rejected claim 15 and therefore are rejected.

### ***Claim Rejections - 35 USC § 102***

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 15-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Koch (Pat Num 5,755,589). Koch discloses cable terminal (Figs 1-2) for connecting a multi-core cord having individual stranded wires (Col 1, lines 5-10). Specifically, with respect to claim 15, Koch discloses a cable terminal (1) for end face connection of a conductor

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(4) of a cable (2) comprising a plug part (16) having at least one contact element (13), a cable receiver (10) capable of being connecting to the plug part (16, Col 4, lines 21-30), and a core holding and guiding part (5) having at least one core guidance channel (27), wherein the core holding and guiding part (5) is located between the plug part (16) and the cable receiving part (Fig 1) and is surrounded by the plug part (16) and the cable receiver (10) through a tubular grip (6) when the plug part (16) and the cable receiver (10) are connected to one another (Col 4, lines 30-34), wherein the core holding and guiding part (3) includes a first section of soft material (inside of 27, i.e. resilient plastic, Col 3, lines 38-42), and a second section of hard material (outside of 5 may be metal or injected plastic) which is harder than the soft material (i.e. resilient plastic), the core guidance channel (27) being provided in the first section and the second section having a positioning aid (Col 4, lines 49-52), the core guidance channel (27) and the positioning aid being shaped to align the conductor of the cable to the at least one contact element (13, Col 4, lines 49-52). With respect to claim 16, Kuch discloses that the cable (2) is a multi-core cable (Col 1, lines 5-10) having a plurality of conductors (4), wherein at least one contact (13) is a plurality of contact elements (13) and at least one core guidance channel (27) is a plurality of core guidance channels (27), the plurality of core guidance channels (27) and the positioning aid being shaped to align the plurality of conductors (4) of the multi-core cable (2) to the plurality of contact elements (13, Col 4, lines 54-63). With respect to claim 17, Kuch discloses that the plug part (16) and the cable receiver (10) are connected to one another by screwing the plug part (16) relative to the cable receiver (10, Col 4, lines 10-17). With respect to claim 18, Kuch discloses first section

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is formed of a soft thermoplastic elastomer (i.e. resilient plastic, Col 3, lines 39-41).

With respect to claim 19, Kuch discloses that the second section may be formed of hard thermoplastic (i.e. injected plastic, Col 4, lines 24-25). With respect to claim 20, Kuch discloses that the first and sections of the core holding and guiding part (5) are formed connected to one another (Fig 2). With respect to claim 21, Kuch discloses that a diameter of each of the plurality of core guidance channels (27) corresponds to a largest diameter of the plurality of cores (Col 2, lines 55-62). With respect to claim 22, Kuch discloses that the positioning aid has a plurality of holes (31 & 32) assigned to the plurality of core guidance channels (27) of the core holding and guiding part (5) wherein the plurality of holes having a tapering cross section (Fig 2). With respect to claim 23, Koch discloses that plurality of holes (27) of the positioning aide has a funnel shape and conical shape (Fig 2). With respect to claim 24, Koch discloses that the plurality of holes (27) of the positioning aid includes a stop (29) for the plurality of cores (2) pushed through the plurality of core guidance channels (27) of the core holding and guiding part (5). With respect to claim 25, Koch discloses a plurality of holes (27) of positioning aid having a first tapering area (28) which adjoins one of the plurality of core guidance channels (27) of the core holding and guidance part (5), a second area of constant diameter (middle of 27) and a third widening area (at 29, Col 4, lines 54-63). With respect to claim 26, Kuch discloses that the polarization element (21) formed by a groove (23) on at least one of the plug part (16) and the cable receiver and corresponding engagement mechanism sized to engage the groove on the other of the at least one of the plug part (16) and the cable receiver (10, Col 4, lines 24-30). With

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respect to claim 27, Kuch discloses that sleeve (17) with an outside thread (18) and the plug part (16) includes a union nut (15) with an inside thread corresponding to outside thread of the sleeve (Fig 1). With respect to claim 28, Kuch discloses the plug part (16) includes an inside sleeve located within the union nut (15), the inside sleeve surrounding the core holding and guiding part (5) when the cable receiver is connected to the plug part (16), the inner sleeve having an inside diameter which is at least partially smaller than an outside diameter of core holding and guiding part (Col 5, lines 32-45). With respect to claim 29, Kuch discloses the inside diameter of the inside sleeve widens toward an opening that receives the core holding and guiding part (Fig 2). With respect to claim 30, Kuch discloses that the plug part (5) includes a contact carrier (11) with a plurality of holes for holding the plurality of contact elements (13), each of the plurality of contact elements (13) having contact spikes (20) on ends facing the core holding and guiding part (Col 5, lines 40-45). With respect to claim 31, Kuch discloses a core holding and guiding part (5) for use in a cable terminal for a end face connection of a plurality of conductors (4) of a multi-core cable (2) with a plug part having plurality of contact elements (13), the core holding and guiding part (5) comprising a first section of soft material (resilient plastic, Col 3, lines 39-43) and a second section of a hard material (i.e. injection plastic, Col 4, lines 24-25) which is harder than the softer material (i.e. resilient plastic) and having a positioning aid, wherein a plurality of core guidance channels (27) and the positioning aid (Col 4, lines 49-52) are shaped to align the conductor of the cable to the plurality of contact elements (13, Col 4, lines 49-52). With respect to claim 32, Kuch discloses first section is formed

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of a soft thermoplastic elastomer (i.e. resilient plastic, Col 3, lines 39-41). With respect to claim 33, Kuch discloses that the second section may be formed of hard thermoplastic (i.e. injected plastic, Col 4, lines 24-25). With respect to claim 34, Kuch discloses that the first and sections of the core holding and guiding part (5) are formed connected to one another (Fig 2).

### ***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are Kroger et al (Pat Num 5,295,866), Thakrar et al (Pat Num 4,832,615), Schubert et al (Pat Num 4,664,461), Su (Pat Num 6,444,914), Nilsson (Pat Num 4,969,839), Whitney et al (Pat Num 5,484,300), and Lange et al (Pat Num 5,989,056), all of which disclose cable connectors.

### ***Communication***

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (703) 306-9061. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308-3682. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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305-3432 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to be "WHM III", written over a circular stamp or seal.

November 2, 2002